

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MICHAEL SCOTT FRIZE,)	NO. EDCV 06-1269-MMM (MAN)
Petitioner,)	
v.)	ORDER ADOPTING FINDINGS,
R. HERNANDEZ,)	CONCLUSIONS AND RECOMMENDATIONS
Respondent.)	OF UNITED STATES MAGISTRATE JUDGE


Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of Habeas Corpus, all of the records herein, and the Report and Recommendation of United States Magistrate Judge. The time for filing Objections had passed, and no Objections have been filed with the Court. The Court accepts and adopts the Magistrate Judge's Report and Recommendation, and the findings of fact, conclusions of law, and recommendations therein.

IT IS ORDERED that: (1) Respondent's Motion to Dismiss is denied; and (2) within seventy-five (75) days of this Order, Respondent shall file and serve an Answer to the Petition and shall lodge the appropriate

1 portions of the state record pursuant to the Magistrate Judge's Order
2 Requiring Response filed on November 17, 2006.

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4 IT IS FURTHER ORDERED that the Clerk serve copies of this Order on
5 Petitioner and counsel for Respondent.

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7 DATED: Jan. 24, 2008.

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10 MARGARET M. MORROW
11 UNITED STATES DISTRICT JUDGE
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